

Issued June 3, 1913.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2386.

(Given pursuant to section 4 of the Food and Drugs Act.)

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### ADULTERATION AND MISBRANDING OF JAMAICA GINGER.

At a stated term of the District Court of the United States for the Northern District of California, begun at San Francisco, Cal., on the first Monday in March, 1912, the grand jurors of the United States within and for said district, acting upon a report by the Secretary of Agriculture, returned an indictment against Bertin & Lepori (Inc.), San Francisco, Cal., alleging shipment by said company, in violation of the Food and Drugs Act, on August 12, 1911, from the State of California into the State of Arizona, of a quantity of Jamaica ginger which was adulterated and misbranded. The product was labeled: (On demijohn) "Gal. Jamaica Ginger, Bertin & Lepori, San Francisco. \* \* \*".

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity (15.6° C./15.6° C.), 0.91358; alcohol (per cent by volume), 60.00; solids (grams per 100 cc.), 0.66; ginger (Seeker test), positive; capicum, absent; resins, other than ginger resins, present. Adulteration of the product was charged in the indictment for the reason that a substance, to wit, a dilute extract of ginger, had been mixed and packed with the so-called Jamaica ginger in such a manner as to reduce, lower, and injuriously affect its quality and strength, and further in that a substance, to wit, a dilute extract of ginger, had been substituted for the genuine article, to wit, Jamaica ginger, and further, because said product was colored in a manner whereby inferiority was concealed. Misbranding was charged for the reason that the labels on the product and the words thereon were false and misleading in that the product was offered for sale under the name of Jamaica ginger, whereas, in truth and in fact, it was not genuine Jamaica ginger but was a dilute extract of ginger. Misbranding was

alleged for the further reason that said labels and words thereon were false and misleading and that they would deceive and mislead the purchaser thereof into the belief that the product was genuine Jamaica ginger, whereas, in truth and in fact, it was not so, but was a dilute extract of ginger.

On December 28, 1912, the defendant company entered a plea of guilty to the indictment and the court imposed a fine of \$250.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 3, 1913.*

